

ORDINANCE #15  
GRAND TRAVERSE COUNTY  
TATTOOING AND TATTOO PARLORS

PREAMBLE

WHEREAS, The Grand Traverse County Board of Commissioners has examined the Public Health Code and determined that there does not presently exist any applicable statute, regulation, rule or order governing tattooing, tattoo parlors or anyone practicing tattooing;

WHEREAS, Sections 2433 and 2435 of the Public Health Code, 1978 P.A. No. 368, requires that a local health department shall endeavor to prevent disease and;

WHEREAS, the practice of tattooing has been associated with the transmission of Hepatitis B and may be potentially associated with the transmission of HIV Virus and other infectious and communicable diseases and;

WHEREAS, the Grand Traverse County Health Department is an agency of Grand Traverse County and is under the direction and control of the Grand Traverse County Board of Commissioners, and;

WHEREAS, in order for the Grand Traverse Health Department to fulfill its mandate under the Public Health Code, Sections 2433 and 2435 (1978 P.A. No. 368), to prevent disease the Grand Traverse County Board of Commissioners adopts this Ordinance and regulations to protect the public health and promote the public safety and welfare of the citizens of Grand Traverse County.

I. DEFINITION.

Tattooing is the creation of an indelible mark or figure upon the human body by insertion of pigment into or under the skin or by the production of scars.

II. PROHIBITION.

A. It shall be unlawful for any person to operate a tattoo parlor, practice, business or occupation of tattooing in Grand Traverse County unless the person possesses a valid license issued by the Grand Traverse County Health Department.

B. It shall be unlawful for any person to violate a regulation adopted pursuant to this ordinance.

III. PENALTY.

A. Any person who violates Section II A of this Ordinance shall be guilty of a misdemeanor and shall be punished by not more than 90 days in jail or a fine of \$500.00 or both plus costs of prosecution.

B. Any person who violates Section II B of this Ordinance shall be guilty of a misdemeanor punishable by not more than 90 days in the county jail or a fine of not more than \$200.00 or both.

IV. OTHER LEGAL SANCTIONS.

In addition to the penalties provided in Section III of this Ordinance, the Prosecuting Attorney for the County of Grand Traverse is hereby authorized to utilize all other legal remedies that are authorized by law to abate or enjoin any violation of this Ordinance, place or location where the violation occurs.

V. POWERS AND DUTIES OF THE HEALTH OFFICER.

The Grand Traverse County Health Officer shall have the authority to regulate the design, installation, operation and maintenance of any tattooing parlor, practice, business or occupation under the jurisdiction of the Health Officer.

#### VI. POWER TO ESTABLISH REGULATIONS.

The Health officer may establish regulations concerning the application of this Ordinance to a tattoo parlor, practice, business or occupation. The purpose of the regulations is to assure sanitary and safe conditions for the practice of tattooing, as defined in Section I. Any regulations established by the Health officer shall be subject to review and approval of the Board of Commissioners and upon approval, shall be incorporated by reference and made a part of this Ordinance subject to Section XIX. (1986 P.A. No. 76, Section 2441).

#### IV. LICENSING PROCEDURES

A person shall comply with all applicable requirements of this Ordinance and its regulations in order to receive and retain a license. A license shall not be transferable to another person or place. The license shall be displayed in a conspicuous place in every licensed tattoo parlor, practice, business or place of occupation.

#### VII. LICENSE TERM.

Every license issued by the Health officer shall expire at midnight on December 31 following date of issuance or as otherwise stated on the license. Every licensee shall purchase and renew the license annually. The license shall be deemed to be in effect as of the date of the Health officer's approval of the application for the license.

#### VIII. LICENSE APPLICATION.

Any person desiring to engage in the practice, business or occupation of tattooing shall make a written application for a license on the form(s) provided by the Health officer. Failure by the applicant to fully complete the application may be deemed sufficient cause to refuse to issue a license to the applicant.

#### IX. FEE.

At the time the applicant files the application for the license, the applicant shall pay the license fee as set by the Board of Commissioners.

#### X. LICENSE APPLICATION, INSPECTION OF PREMISES.

Upon receipt of a properly completed application with the appropriate fee, the Health officer shall make an inspection of the applicant's premises and shall make a determination of compliance with the applicable statutory, ordinance and regulation provisions. Upon confirmation that the applicable requirements have been satisfactorily met, a license shall be issued to the applicant by the Health officer. The applicant shall then be referred to as a Licensee.

#### XI. LICENSEE, DEFINED.

A license shall only be issued to a natural person and in the name of the natural person.

#### XII. DENIAL OF LICENSE.

If the Health officer finds good and sufficient reason to deny an application for a license, the Health officer shall issue a notice to the applicant in writing that the license will not be issued and citing the deficiencies or non-complying items that constitute the reasons for not issuing the license. Until the applicant has satisfactorily complied with the requirements and the terms and conditions of the Denial Notice, the applicant shall be denied a license.



### XIII. SUSPENSION OF LICENSE.

Any license issued pursuant to the provisions of this Ordinance and regulations may be suspended by the Health Officer for failure of the licensee to comply with applicable conditions of the Ordinance or regulations, whenever, in the opinion of the Health officer, continued operation of the tattooing parlor, practice, business, or occupation would create a substantial hazzard to the public health. The Health officer shall issue a written notice to the licensee citing such conditions and stating that the license is immediately suspended and that all tattooing operations shall be discontinued at once. The licensee shall immediately comply with the notice of immediate discontinuance of operation and there shall be no further tattooing until the license is reinstated.

### XIV. SERVICE OF NOTICE.

Written notice shall be delivered in person by the Health officer or designee or by certified or registered mail to the licensee's address on the license.

### XV. REVOCATION OF LICENSE.

For serious orrepeated violations of any of the requirements of the Ordinance or regulations or other applicable laws or for interference with the Health officer in the performance of his duties, a license may be revoked by the Health officer after an opportunity for a hearing has been provided. Prior to such action to revoke a license, the Health officer shall notify the licensee in writing, as provided in Section XIV, stating the reasons why the license is subject to revocation and advising the licensee that the license shall be revoked at the end of 5 business days following receipt of the notice of revocation unless the licensee files a request for a hearing with the Health officer. The licensee at the hearing shall satisfactorily show cause why the license shall not be revoked. A license may be suspended for cause pending its revocation or revocation hearing and decision from the revocation hearing. The Health officer or designee shall be the hearing officer.

### XVI. REINSTATEMENT OF SUSPENDED LICENSE.

Any person whose license has been suspended may, at any time, make a written application for reinstatement of the license. The written application for reinstatement shall include a statement signed by the licensee that, in the licensee's opinion, the conditions causing the suspension of the license have been corrected. Within a reasonable time, not to exceed 10 working days following receipt of the reinstatement application, the Health officer shall make a reinspection. If the licensee is then in satisfactory compliance with the Ordinance and regulations or other applicable law, the license shall be reinstated.

### XVII. INSPECTION OF PREMISES.

The Health officer shall have the authority to inspect the premises at which the practice of tattooing is being carried on within Grand Traverse County and shall make as many inspections and reinspections as are deemed necessary for the enforcement of this Ordinance, regulations and applicable statutes.

XVIII. TATTOOING MATERIALS, PREMISES, PROPER CONDITIONS,  
NUISANCE, REGULATIONS - ADOPTION.

Needles, dyes, inks and other materials or equipment of whatever kind or description used in tattooing shall be kept in a clean, sterile and non-toxic condition and the environment of the premises shall be such as to prevent the transmission of etiologic agents.

B. Advise the customer to seek medical attention if the tattoo site becomes infected, painful, or if a fever develops.

XX. EFFECTIVE DATE.


This Ordinance and the regulations adopted or amendments to the Ordinance or regulations shall become effective 45 days after publication in a newspaper of general circulation in Grand Traverse County.

Published in Record Eagle March 8, 1991

Effective Date April 22, 1991

CERTIFICATION:

I, Virginia A. Watson, County Clerk certify that the Ordinance regulating tattooing and tattoo parlors was adopted by the Grand Traverse County Board of Commissioners at its regular meeting on February 27, 1991.

  
VIRGINIA A. WATSON, COUNTY CLERK